

IN THE SUPREME COURT OF VICTORIA AT MELBOURNE
COMMERCIAL COURT
COMMERCIAL LIST – GARDE J



No. S ECT 2025 02613
Case: S ECT 2025 02613

BETWEEN

Filed on: 13/11/2025 12:34 PM

Lake Eildon Country Club Ltd ACN 005 642 937

Applicant

-and-

Marchelleen Pty Ltd (ACN 005 104 478)

and others

Defendants

AFFIDAVIT

Date of Document:	Solicitors Code:		
Filed on behalf of:	Applicant	DX:	
Prepared by:	McCullough Robertson Lawyers Level 11, 66 Eagle Street Brisbane QLD 4000	Telephone:	07 3233 8701
	Ref:	177936-4	
	Email:	awrigley@mccullough.com.au	

I, Simon John Thorn, of 755 Hunter Street, Newcastle West in the State of New South Wales, care of PKF Newcastle and Sydney, liquidator, make oath and say:

1. I am a registered liquidator and chartered accountant, a director of PKF(NS) BRI Holdings Pty Ltd ACN 634 494 287 and have been practicing in the Australian insolvency industry for over 25 years. I have read the Applicant's application to the Victorian Civil and Administrative Tribunal (**VCAT**) and supporting affidavit material.
2. I consent to being appointed as trustee of a statutory trust if orders are made by this Honourable Court in terms of the Applicant's application to VCAT. I am not aware of any circumstances that would make it inappropriate for me to be so appointed.
3. Now produced and shown to me and marked '**ST-1**' is a true copy of my curriculum vitae and the schedule of rates which PKF(NS) BRI Holdings Pty Ltd would charge, should I be appointed as a trustee.

The contents of this affidavit are true and correct and I make it knowing that a person making a false affidavit may be prosecuted for the offences of perjury.

Sworn at Newcastle West

in the State of New South Wales on 15 October 2025

A handwritten signature in black ink, appearing to read 'Simon John Thorn', is placed over a large, stylized, circular redacted area.

[signature of person swearing or affirming the affidavit contents, to be signed in front of the authorised affidavit taker]

Before me,



on 15 October 2025

Alana Anne Kirkman

JP 200819

755 Hunter Street, Newcastle West NSW 2302

A person authorised under section 19(1) of the **Oaths and Affirmations Act 2018** to take an affidavit.

* In accordance with section 27(1A) of the Oaths and Affirmations Act 2018, this affidavit was signed and sworn or affirmed by the deponent by audio visual link and the authorised affidavit taker has used a scanned or electronic copy of the affidavit and not the original in completing the jurat requirements.

*[*strike out this sentence if not applicable].*

FORM 43A

Rule 43.06(3)

**IN THE SUPREME COURT OF VICTORIA AT MELBOURNE
COMMERCIAL COURT
COMMERCIAL LIST – GARDE J**

No. S ECI 2025 02613

BETWEEN

Lake Eildon Country Club Ltd ACN 005 642 937

Plaintiff

-and-

Marchelleen Pty Ltd (ACN 005 104 478)

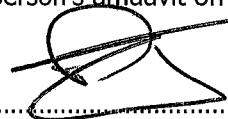
and others

Defendants

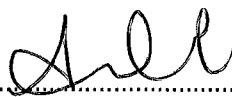
CERTIFICATE IDENTIFYING EXHIBIT

Date of Document:	Solicitors Code:		
Filed on behalf of:	Applicant	DX:	
Prepared by:	McCullough Robertson Lawyers Level 11, 66 Eagle Street Brisbane QLD 4000	Telephone:	07 3233 8701
	Ref:	177936-4	
	Email:	awrigley@mccullough.com.au	

This is the exhibit marked "**ST-1**" now produced and shown to **SIMON THORN** at the time of swearing the person's affidavit on 15 October 2025:



[Signature of deponent]



[Signature of person taking affidavit]

Alana Anne Kirkman

JP 200819

755 Hunter Street, Newcastle West NSW 2302

Exhibit 'ST-1'

Curriculum vitae

Schedule of rates of PKF (NS) BRI Holding
Pty Ltd



PKF



CONTACT

T: 02 4962 2688

E: sthorn@pkf.com.au

QUALIFICATIONS AND MEMBERSHIPS

Bachelor of Commerce

Registered Liquidator

Registered Trustee in Bankruptcy

Member of Australian Restructuring
Insolvency and Turnaround (ARITA)

Member of Chartered Accountants
Australia and New Zealand (CA ANZ)

Member of CPA Australia

OFFICE ADDRESS

PKF Sydney and Newcastle

755 Hunter Street
Newcastle West, NSW, 2302

AREAS OF SPECIALISATION

- Corporate restructuring and business turnaround
- Lender advisory and receivership
- Corporate insolvency
- Personal insolvency
- Section 66G Trusteeship
- Small Business Restructuring

Simon Thorn

Partner

Restructuring, Turnaround and Insolvency

"The opportunity to rehabilitate a business out of insolvency or provide an optimised exit or wind down is a satisfying, and sometimes inspiring experience."

Simon has over 25 years' experience gained in Australia, New Zealand and the UK on all types of corporate and personal insolvency matters.

Well versed in the formal insolvency process and informal turnaround, experienced in forensic and litigation support matters, Simon's experience covers most industries from agribusiness, construction, mining and manufacturing to hospitality, registered clubs, retail and professional services.

Simon also has significant expertise and understanding of how the recovery teams of all the major banks work and can share this knowledge to assist clients who may find themselves dealing with a bank recovery.

His solutions-oriented approach can add value to clients seeking to turnaround a business or identify an optimised exit via formal insolvency or otherwise.

Simon has presented on the safe harbour provisions and provided expert assistance to parties who find themselves the subject of recovery action by an insolvency practitioner or in disputes or litigation.

The aim for Simon and his team is to provide a solutions focused approach that will deliver the best outcome for all stakeholders.

Insolvency and Business Turnaround Experience

I am a Partner with PKF's Business Recovery and Insolvency Team with almost 30 years' experience in corporate and personal insolvency matters.

During this time I have managed a large variety of insolvency administrations and turnaround assignments, including complex Receiverships, Voluntary Administrations, Deed Administrations, Liquidations, Bankruptcies and Personal Insolvency Agreements in a broad range of industries.

My major assignments have included enterprises in a variety of industries including:

- Agribusinesses;
- Construction and Property Development;
- Mining Services;
- Manufacturing;
- Real Estate;
- Hotels and Accommodation;
- Professional Services and Insurance
- Hospitality;
- Registered Clubs; and
- Retail.

I have worked in various jurisdictions, including the United Kingdom and New Zealand, and my experience includes the management of:-

- Voluntary administration and successful restructure of West Tankers.
- Liquidator of a failed insurance company with >\$10bn in risks underwritten across Asia Pacific. Exposure to the devastating Christchurch earthquakes resulted in claims of >\$50m for which the company held only \$34m in reinsurance.
- Brancourts Dairy voluntary administration and restructure.
- Trustee for sale and winding up of various timeshare resorts, including: Pacific Palms Resort; Korora Bay Village Resort; and Cedar Lake Country Resort.
- Receiver of a Textile company involving Tops, Spinning and Weaving Mill assets that were marketed and sold internationally.
- Administration of a Clothing retailer with >90 stores across the UK, Ireland and the Middle East - business traded on and sold as a going concern.
- Receiver of a chain of three Apartment Hotels and the freehold properties.
- Investigative Accountant review of a chain of four Childcare centres - business restructured with one centre divested.
- Receivership of Pegasus Town, a new township development comprised of a 2000 lot master plan subdivision, a championship Golf course and commercial precinct.
- Liquidator of a long-haul transport and parcel delivery business operating 30 vehicles across a network of eight depots.
- Receivership of a Retail Shopping Arcade.



PKF Business Recovery & Insolvency Services Guide to Hourly Rates from 1 July 2024

Classification	Rate \$	Guide to Level of Insolvency Experience
Partner/Appointee	725.00 + 72.50 GST	Registered Liquidator/Trustee. Partner bringing his/her specialist skills to Administrations and/or Insolvency tasks.
Principal/Director	665.00 + 65.50 GST	Qualified. 10+ years experience. Specialist industry knowledge or Registered Liquidator/trustee who assists the appointee with all facets of Administrations and/or Insolvency tasks.
Senior Manager	620.00 + 62.00 GST	Qualified. 8+ years experience. Well developed technical and commercial skills, bringing additional specialist skills to Administrations and/or Insolvency tasks.
Manager	580.00 + 58.00 GST	Typically Qualified. 6-8 years experience. Well developed technical and commercial skills. Planning and control of all Administrations and/or Insolvency tasks.
Supervisor	520.00 + 52.00 GST	Typically Qualified. 4-7 years experience. Co-ordinates planning and control of medium to larger Administrations and/or Insolvency tasks.
Senior Analyst 1	465.00 + 46.50 GST	Typically Graduate/Qualified: 2-4 years experience. Required to control the fieldwork on Administrations and/or Insolvency tasks.
Senior Analyst 2	420.00 + 42.00 GST	Typically Graduate: 1-2 years experience. Required to control the fieldwork on Administrations and/or Insolvency tasks.
Intermediate Analyst 1	370.00 + 37.00 GST	Typically Graduate: Up to 2 years experience. Required to control the fieldwork on small Administrations and/or Insolvency tasks and assist with fieldwork on medium to large Administrations and/or Insolvency tasks.
Intermediate Analyst 2	345.00 + 34.50 GST	Typically Under Graduate: Up to 2 years experience. Required to assist in day to day fieldwork of Administrations and/or insolvency tasks under the supervision of more senior staff.
Executive/ Personal Assistant	265.00 + 26.50 GST	Appropriate skills including machine usage.
Clerk	210.00 + 21.00 GST	Appropriate skills.
Junior	160.00 + 16.00 GST	Appropriate skills.

Notes:

1. The Guide to Level of Insolvency Experience is intended only to be a guide as to the qualifications and experience of the staff engaged. It should be noted that in some instances staff may be engaged under an appropriate classification principally due to their experience and demonstrated capabilities.
2. Time spent on matters is recorded and charged in six (6) minute intervals.
3. The firm rates are effective as at 1 July 2024.